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TOBACCO LITIGATION TEAM

Civil Action No. 99-CV-2496 (GK)

Next Scheduled Court Appearance:

July 18, 2002

PHILIP MORRIS INCORPORATED,
et al.,

Defendants.

**DEFENDANT R.J. REYNOLDS TOBACCO COMPANY'S
RESPONSES TO PLAINTIFF'S FIRST SET OF
REQUESTS FOR ADMISSION TO ALL DEFENDANTS**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure ("FRCP")

and in accordance with Order #51 of the Court, Defendant R.J. Reynolds Tobacco Company ("Reynolds"), by and through its counsel, hereby responds to Plaintiff's First Set of Requests for Admission ("Plaintiff's Requests").

I. RECURRING OBJECTIONS

A. Plaintiff's Instructions & Definitions

Reynolds objects to Plaintiff's Instructions and Definitions to the extent that Plaintiff seeks to impose obligations upon Reynolds that are different from and/or in addition to those imposed by the FRCP. Reynolds further objects to Plaintiff's Instructions and Definitions to the extent the instructions are vague, ambiguous, overly broad, unduly burdensome, oppressive and designed to obtain information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Reynolds specifically,

REQUEST NO. 77: [Not Directed to Reynolds.]

REQUEST NO. 78: [Not Directed to Reynolds.]

REQUEST NO. 79: [Not Directed to Reynolds.]

REQUEST NO. 80: Admit that, at various times from 1954 to the present, you have targeted marketing to persons under 18 years of age.

RESPONSE: Subject to and without waiving its objections and based on reasonable inquiry, Reynolds is not aware that any of its marketing programs from 1954 to the present have targeted persons under the age of 18. Reynolds accordingly denies this request.

COUNCIL FOR TOBACCO RESEARCH

REQUEST NO. 81: Admit that you decided in the 1950s to attempt to promote a public perception that the issue of whether smoking caused disease was unresolved.

RESPONSE: Subject to and without waiving its objections, Reynolds denies this request to the extent that it purports to call for an admission that Reynolds, individually or with other tobacco companies or entities, engaged in a purposeful, scientifically unjustified effort "to promote a public perception that the issue of whether smoking caused disease was unresolved." Reynolds' denial is based, in part, on the fact that "A Frank Statement to Cigarette Smokers" relied, in large part, on contemporaneous statements by senior officials at the National Cancer Institute and was consistent with statements of other prominent government scientists. Reynolds states that, at or shortly after the time of the "Frank Statement", the government itself acknowledged the uncertainties of the relationship between